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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0426 MAG
)	
Plaintiff,)	
)	
v.)	[PROPOSED] ORDER FOR PRETRIAL
)	PREPARATION FOR CRIMINAL BENCH
)	TRIAL
TSZ HANG YEUNG,)	
)	
Defendant.)	

Following the Scheduling Conference held on August 14, 2008, at 10:00 a.m., the parties conferred regarding trial in the upcoming matter. Both parties agree to the conditions of the following pretrial preparation order, subject to the Court's approval.

I. TRIAL DATE

a. Trial by the Court will begin on October 20, 2008, at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California.

b. The length of the trial shall not be more than one (1) day.

II. DISCOVERY

a. Both sides will comply with the Federal Rules of Criminal Procedure, and the United States will comply with *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405

U.S. 150 (1972), and *United States v. Agurs*, 427 U.S. 97 (1976).

III. MOTIONS

a. Pretrial motions other than motions in limine may be noticed for any available Thursday at 10:00 a.m., on or before the Pretrial Conference, or for the date set for the Pretrial Conference. Motions shall be noticed in compliance with Local Rule 47-2.

IV. PRETRIAL CONFERENCE

a. A Pretrial Conference will be held on October 13, 2008, at 10:00 a.m., in Courtroom B. It shall be attended by the attorneys who will try the case.

b. Not less than two weeks before the Pretrial Conference, the parties shall each complete (except as noted in paragraph IV(b)(6)) the following:

- 1) Serve and file a pretrial statement pursuant to Crim. L.R. 17.1-1(b).
- 2) Serve and file a trial brief setting forth the following:
 - (a) A description of each offense charged in the case.
 - (b) The evidence anticipated in the case.
 - (c) A description of the law applicable to each alleged offense, including, but not limited to, a listing of the elements of each alleged offense and affirmative defense.
 - (d) Points of law on any other issues relevant to the trial, including foreseeable procedural and evidentiary issues.
- 3) Serve and file any motions in limine.
- 4) Serve and file a numerical list of each party's exhibits.
- 5) Serve and file a list of witnesses that each party intends to call at the trial, not including rebuttal witnesses, setting forth for each witness the nature of their testimony.
- 6) Plaintiff shall comply with IV(b)1) -5). The defendant shall comply with IV(b)1) and 3), and shall comply with IV(b)2), 4), and 5), to the extent consistent with defendant's right to an effective defense.
- 7) Exchange exhibits, which shall be pre-marked with an exhibit sticker,

1 tabbed and in a folder or 3-ring binder. Plaintiff shall use numbers (1, 2,
2 3, etc.) and defendant shall use numbers preceded by a letter (A-1, A-2, A-
3 3, etc.). Deposit exhibits with the deputy clerk ten (10) days before the
4 Pretrial Conference.

5 c. Not less than one (1) week prior to the Pretrial Conference, the parties shall serve and
6 file any opposition to any motion in limine (there shall be no reply briefs).

7 d. All motions in limine shall be heard at the Pretrial Conference.

8 e. Courtesy copies of all documents shall be provided for chambers at the time of filing.

9 V. PRETRIAL ARRANGEMENTS

10 a. During trial, counsel may wish to use overhead projectors, laser-disk/computer
11 graphics, poster blow-ups, or models. Equipment should be shared by counsel to the maximum
12 extent possible. The Court provides no equipment other than an easel. In the event the parties
13 use electronic equipment, the parties shall tape extension cords to the carpet for safety. The
14 parties may work with the deputy clerk, Brenda Tolbert, on all courtroom-layout issues.

15 JOSEPH P. RUSSONIELLO
16 United States Attorney

17 Dated: 8/14/08

18 /s/
WENDY THOMAS
Special Assistant United States Attorney

19
20 Dated: 8/14/08

21 /s/
GEOFFREY HANSEN
Attorney for Defendant

22 IT IS SO ORDERED.
23

24 Dated: _____

25 MARIA ELENA JAMES
United States Magistrate Judge
26
27
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